

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE SCOTTS COMPANY LLC, and OMS INVESTMENTS, INC., Plaintiffs, v. SBM LIFE SCIENCE CORP., Defendant.	Case No. 2:23-cv-001541 Judge Edmund A. Sargus Magistrate Judge Elizabeth Preston Deavers
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JOINT MOTION TO EXTEND CASE DEADLINES

Plaintiffs The Scotts Company, LLC and OMS Investments, Inc. (collectively, “Plaintiffs”) and Defendant SBM Life Science Corp. (“Defendant”) hereby jointly request that the Court extend the current case deadlines as set forth herein. (Plaintiffs and Defendant are referred to collectively herein as the “Parties.”) In support of this Motion, the Parties state as follows:

1. On October 17, 2023, the Court set the current case deadlines in its Preliminary Pretrial Order (ECF#16; PageID#371). Fact discovery is currently set to close on May 31, 2024. *Id.*

2. The Parties have exchanged written discovery requests and responses but require additional time to complete discovery, including, but not limited to, producing documents, addressing discovery deficiencies, producing electronically-stored information, and conducting depositions.

3. On February 20, 2024, Defendant filed a Partial Motion to Dismiss the Second Amended Complaint. (ECF#45; PageID#1132). Defendant's motion is fully briefed, but the Court has not yet issued a ruling on the motion. As such, Defendant has not yet answered the Second Amended Complaint.

4. This is the Parties' first request to extend the discovery deadlines in this case.

5. In light of these facts, the Parties respectfully submit that good cause exists under Rule 16(b)(4), Fed. R. Civ. P., to extend the case deadlines as follows:

Event	Current Deadline (ECF 16)	Proposed Deadline
Close of fact discovery	5/31/2024	9/30/2024
Plaintiffs' settlement demand	6/7/2024	10/7/2024
Defendant's response to settlement demand	6/21/2024	10/21/2024
Primary Expert Reports (issues on which party bears burden of proof)	7/15/2024	11/12/2024
Responsive Expert Reports (issues on which opposing party bears burden of proof)	8/30/2024	1/8/2025
Rebuttal Expert Reports	9/20/2024	1/31/2025
Settlement conference	9/30/2024	2/14/2025
Complete discovery (including expert discovery)	10/25/2024	3/7/2025
Dispositive motions	12/5/2024	4/11/2025

The Parties appreciate the Court's continued assistance with scheduling matters and its consideration of this Joint Motion.

Respectfully submitted,

**The Scotts Company LLC and OMS
Investments, Inc.**

/s/ Joshua S. Frick (per authorization)

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on all parties of record on May 15, 2024, via the Court's CM/ECF system.

/s/ Lindsay M. Nelson

Lindsay M. Nelson